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Legislative History – Montana Session Law

Chapter: 239 Session L: 2005
Bill Number: SB 214

Checklist of Bill History

History and Final Status Sheet ☒
Introduced Bill ☒
Fiscal Note ☐
Third Reading Bill ☐
Final Version of Bill ☐

House

Committee: Natural Resources

Hearing Date(s): 3/7/2005

Committee Report: 3/30/2005

Senate

Committee: Natural Resources

Hearing Date(s): 1/17/2005

Committee Report: 1/19/2005

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: SK Marshall

Date: 10/23/2025

Notes: Audio/Video recordings can be found here:

<https://sg001-harmony.sliq.net/00309/Harmony/en>

Thank you!



AN ACT CLARIFYING THE DAMAGES TO BE AWARDED FOR THE TAKING OF TIMBER WITHOUT LAWFUL AUTHORITY; STATING THE DAMAGES FOR AN INADVERTENT TAKING; STATING THE DAMAGES FOR A TAKING BY PUBLIC OFFICERS OR EMPLOYEES FOR THE PURPOSES OF A HIGHWAY; STATING THE DAMAGES FOR A WILLFUL, WANTON, OR MALICIOUS TAKING; AMENDING SECTION 70-16-107, MCA; AND REPEALING SECTION 70-16-108, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 70-16-107, MCA, is amended to read:

"70-16-107. Trespass for taking timber. ~~(1) Any~~ A person who cuts down or carries off any wood, ~~or~~ underwood, tree, or timber or girdles or otherwise injures any tree or timber on the land of another person, or on the street or highway in front of any person's house, ~~or village town or city lot, or on~~ cultivated grounds or on the commons or public grounds of any city or town, or on the street or highway in front thereof of any city or town, without lawful authority, is liable to the owner of ~~such the~~ the land or to ~~such the~~ the city or town for:

(1) the amount of the damages incurred if the trespass was casual and inadvertent or committed under the belief that the land belonged to the trespasser or if the wood was taken by the authority of state or local government officers or employees for the purposes of a highway; or

(2) for treble the amount of damages which may be assessed therefor in a civil action in any court having jurisdiction incurred if the trespass was willful, wanton, or malicious.

~~(2) Nothing in subsection (1) authorizes the recovery of more than the just value of the timber taken from uncultivated woodland for the repair of a public highway or bridge upon the land or adjoining it."~~

Section 2. Repealer. Section 70-16-108, MCA, is repealed.

- END -

I hereby certify that the within bill,
SB 0214, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2019.

Speaker of the House

Signed this _____ day
of _____, 2019.

SENATE BILL NO. 214

INTRODUCED BY GEBHARDT, BARKUS, NOENNIG

AN ACT CLARIFYING THE DAMAGES TO BE AWARDED FOR THE TAKING OF TIMBER WITHOUT LAWFUL AUTHORITY; STATING THE DAMAGES FOR AN INADVERTENT TAKING; STATING THE DAMAGES FOR A TAKING BY PUBLIC OFFICERS OR EMPLOYEES FOR THE PURPOSES OF A HIGHWAY; STATING THE DAMAGES FOR A WILLFUL, WANTON, OR MALICIOUS TAKING; AMENDING SECTION 70-16-107, MCA; AND REPEALING SECTION 70-16-108, MCA.

Exported Data

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
04/15/05	Chapter Number Assigned				
04/15/05	(S) Signed by Governor				
04/07/05	(S) Transmitted to Governor				
04/07/05	(H) Signed by Speaker				
04/06/05	(S) Signed by President				
04/06/05	(C) Printed - New Version Available				
04/06/05	(S) Returned from Enrolling				
04/06/05	(S) Sent to Enrolling				
04/05/05	(H) Returned to Senate				
04/05/05	(H) 3rd Reading Concurred		100	0	
04/05/05	(H) Scheduled for 3rd Reading				
04/04/05	(C) Printed - New Version Available				
04/04/05	(H) 2nd Reading Concurred		100	0	
04/04/05	(H) Scheduled for 2nd Reading				
03/31/05	(H) Committee Report--Bill Concurred	(H) Natural Resources			
03/31/05	(H) Committee Executive Action--Bill Concurred	(H) Natural Resources	17	1	
03/07/05	(H) Hearing	(H) Natural Resources			
03/02/05	(H) Referred to Committee	(H) Natural Resources			
03/02/05	(H) First Reading				
01/24/05	(S) Transmitted to House				
01/24/05	(S) 3rd Reading Passed		49	0	
01/24/05	(S) Scheduled for 3rd Reading				
01/22/05	(S) 2nd Reading Passed on Voice Vote		50	0	
01/21/05	(S) Scheduled for 2nd Reading				
01/20/05	(S) Committee Report--Bill Passed	(S) Natural Resources			
01/20/05	(S) Committee Executive Action--Bill Passed	(S) Natural Resources	9	0	
01/17/05	(S) Hearing	(S) Natural Resources			
01/12/05	(C) Introduced Bill Text Available Electronically				
01/12/05	(S) Referred to Committee	(S) Natural Resources			

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
01/12/05	(S) First Reading				
01/12/05	(S) Introduced				
01/11/05	(C) Draft Delivered to Requester				
01/06/05	(C) Draft Ready for Delivery				
01/06/05	(C) Draft in Assembly/Executive Director Review				
01/05/05	(C) Draft in Final Drafter Review				
01/05/05	(C) Bill Draft Text Available Electronically				
01/05/05	(C) Draft in Input/Proofing				
01/05/05	(C) Draft to Drafter - Edit Review [JLN]				
01/05/05	(C) Draft in Edit				
01/04/05	(C) Draft in Legal Review				
01/03/05	(C) Draft to Requester for Review				
01/02/05	(C) Draft Request Received				



AN ACT CLARIFYING THE DAMAGES TO BE AWARDED FOR THE TAKING OF TIMBER WITHOUT LAWFUL AUTHORITY; STATING THE DAMAGES FOR AN INADVERTENT TAKING; STATING THE DAMAGES FOR A TAKING BY PUBLIC OFFICERS OR EMPLOYEES FOR THE PURPOSES OF A HIGHWAY; STATING THE DAMAGES FOR A WILLFUL, WANTON, OR MALICIOUS TAKING; AMENDING SECTION 70-16-107, MCA; AND REPEALING SECTION 70-16-108, MCA.

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(2) for treble the amount of damages which may be assessed therefor in a civil action in any court having jurisdiction incurred if the trespass was willful, wanton, or malicious.

~~(2) Nothing in subsection (1) authorizes the recovery of more than the just value of the timber taken from uncultivated woodland for the repair of a public highway or bridge upon the land or adjoining it."~~

Section 2. Repealer. Section 70-16-108, MCA, is repealed.

- END -

I hereby certify that the within bill,
SB 0214, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2019.

Speaker of the House

Signed this _____ day
of _____, 2019.

SENATE BILL NO. 214

INTRODUCED BY GEBHARDT, BARKUS, NOENNIG

AN ACT CLARIFYING THE DAMAGES TO BE AWARDED FOR THE TAKING OF TIMBER WITHOUT LAWFUL AUTHORITY; STATING THE DAMAGES FOR AN INADVERTENT TAKING; STATING THE DAMAGES FOR A TAKING BY PUBLIC OFFICERS OR EMPLOYEES FOR THE PURPOSES OF A HIGHWAY; STATING THE DAMAGES FOR A WILLFUL, WANTON, OR MALICIOUS TAKING; AMENDING SECTION 70-16-107, MCA; AND REPEALING SECTION 70-16-108, MCA.

SENATE BILL NO. 214

INTRODUCED BY GEBHARDT, BARKUS, NOENNIG

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE DAMAGES TO BE AWARDED FOR THE TAKING OF TIMBER WITHOUT LAWFUL AUTHORITY; STATING THE DAMAGES FOR AN INADVERTENT TAKING; STATING THE DAMAGES FOR A TAKING BY PUBLIC OFFICERS OR EMPLOYEES FOR THE PURPOSES OF A HIGHWAY; STATING THE DAMAGES FOR A WILLFUL, WANTON, OR MALICIOUS TAKING; AMENDING SECTION 70-16-107, MCA; AND REPEALING SECTION 70-16-108, MCA."

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(1) the amount of the damages incurred if the trespass was casual and inadvertent or committed under the belief that the land belonged to the trespasser or if the wood was taken by the authority of state or local government officers or employees for the purposes of a highway; or

(2) for treble the amount of damages which may be assessed therefor in a civil action in any court having jurisdiction incurred if the trespass was willful, wanton, or malicious.

~~(2) Nothing in subsection (1) authorizes the recovery of more than the just value of the timber taken from uncultivated woodland for the repair of a public highway or bridge upon the land or adjoining it."~~

NEW SECTION. **Section 2. Repealer.** Section 70-16-108, MCA, is repealed.

- END -

SENATE BILL NO. 214
INTRODUCED BY K. GEBHARDT

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE DAMAGES TO BE AWARDED FOR THE TAKING OF TIMBER WITHOUT LAWFUL AUTHORITY; STATING THE DAMAGES FOR AN INADVERTENT TAKING; STATING THE DAMAGES FOR A TAKING BY PUBLIC OFFICERS OR EMPLOYEES FOR THE PURPOSES OF A HIGHWAY; STATING THE DAMAGES FOR A WILLFUL, WANTON, OR MALICIOUS TAKING; AMENDING SECTION 70-16-107, MCA; AND REPEALING SECTION 70-16-108, MCA."

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~~(2) Nothing in subsection (1) authorizes the recovery of more than the just value of the timber taken from uncultivated woodland for the repair of a public highway or bridge upon the land or adjoining it."~~

NEW SECTION. **Section 2. Repealer.** Section 70-16-108, MCA, is repealed.

- END -

MINUTES

MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN GLENN ROUSH**, on January 17, 2005 at 3 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Glenn Roush, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Kelly Gebhardt (R)
Sen. Greg Lind (D)
Sen. Gary L. Perry (R)
Sen. Bill Tash (R)
Sen. Ken Toole (D)
Sen. Mike Wheat (D)

Members Excused: Sen. Dan Harrington (D)

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Krista Lee Evans, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 212, 1/6/2005; SB 214, 1/6/2005
Executive Action: SB 97, SB 44

00:01:03

HEARING ON SB 212

Opening Statement by Sponsor:

SEN. JOHN ESP (R), SD 31, opened the hearing on SB 212, Revise allocation and distribution of federal mineral leasing funds.

Proponents' Testimony:

00:02:22 **John Northey, Chief Legal Counsel, LSD**
00:03:15 **Judy Paynter, Governors' Office**
00:05:31 **Steve Bender, Director, Department of**
 Administration
00:06:42 **William Duffield, Executive Director of Oil and**
 Gas Companies

Opponents' Testimony: None.

Informational Testimony: None.

00:07:59

Questions from Committee Members and Responses:

00:09:47

Closing by Sponsor:

00:11:23

HEARING ON SB 214

Opening Statement by Sponsor:

SEN. KELLY GEBHARDT (R), SD 23, opened the hearing on SB 214, Clarify law on damages for trespass to take timber.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony: None.

00:14:48

Questions from Committee Members and Responses:

00:17:55

Closing by Sponsor:

00:20:24

EXECUTIVE ACTION ON SB 97

Motion: SEN. PERRY moved that SB 97 DO PASS.

Motion/Vote: SEN. PERRY moved that SB 97 BE AMENDED. Motion carried unanimously by voice vote.

EXHIBIT (nas12a01)

00:26:18

SEN. BARKUS, SD 4

00:28:25

Mary Sexton, Department of Natural Resources and Conservation

00:29:33

Janet Ellis, Montana Audubon Society

00:31:41

Tom Schulz, Department of Natural Resources and Conservation

Motion/Vote: SEN. PERRY moved that SB 97 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

00:37:15

EXECUTIVE ACTION ON SB 44

Motion/Vote: SEN. PERRY moved that SB 44 DO PASS. Motion carried 5-4 by roll call vote with SEN. HARRINGTON, SEN. LIND, SEN. TOOLE, and SEN. WHEAT voting no.

SEN. ROUSH left the vote open for 24 hours to allow SEN. HARRINGTON to vote. SEN. HARRINGTON gave his vote to the Committee Secretary as a NO.

ADJOURNMENT

Adjournment: 3:47 P.M.

SEN. GLENN ROUSH, Chairman

KATHLEEN ELY, Secretary

GR/KE

Additional Exhibits:

EXHIBIT ([nas12aad0.PDF](#))

**MONTANA SENATE
2005 LEGISLATURE**

ROLL CALL

NATURAL RESOURCES

DATE 1/17/05

NAMES	PRESENT	ABSENT	EXCUSED
SEN. GLENN ROUSH, CHAIRMAN	✓		
SEN. AUBYN CURTIS	✓		
SEN. KELLY GEBHARDT	✓		
SEN. DAN HARRINGTON			✓
SEN. GREG LIND	✓		
SEN. GARY PERRY	✓		
SEN. BILL TASH	✓		
SEN. KEN TOOLE, VICE CHAIRMAN	✓		
SEN. MICHAEL WHEAT	✓		
KRISTA LEE EVANS, LSD	✓		
KATHLEEN ELY, COMMITTEE SECRETARY	✓		



SENATE STANDING COMMITTEE REPORT

January 17, 2005

Page 1 of 2

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 97** (first reading copy -- white) do pass as amended.

Signed:

A handwritten signature in dark ink, appearing to read "Glenn A. Roush", is written over a horizontal line. Below the line, the text "Senator Glenn Roush, Chair" is printed.

Senator Glenn Roush, Chair

And, that such amendments read:

1. Title, page 1, line 6.

Following: "LANDS"

Insert: "BY RESTRICTING ANY OR ALL RIGHTS TO CONSTRUCT IMPROVEMENTS UPON THE LAND OR TO SUBSTANTIALLY ALTER THE NATURAL CHARACTER OF THE LAND EXCEPT AS THESE RIGHTS ARE EXPRESSLY RESERVED IN THE INSTRUMENTS INDICATING THE RESTRICTION"

2. Page 1, line 30.

Following: "land"

Insert: "for the purpose of restricting any or all rights to construct improvements upon the land or to substantially alter the natural character of the land except as these rights are expressly reserved in the instruments indicating the restriction"

3. Page 2, line 1.

Strike: "partial, limited, fractional, or undivided"

Following: "interests"

Strike: "in"

Insert: "to restrict activities on"

4. Page 2, line 3.

Following: "ability to"

Insert: "manage,"

Committee Vote:

Yes 8, No 0.

121603SC.ssc

Handwritten initials, possibly "KF", in dark ink.

Following: "develop"
Insert: ", "

5. Page 2, line 4.

Following: "for"

Insert: "other purposes, other than residential, commercial, and industrial, including but not limited to recreation,"

6. Page 2.

Following: line 6

Insert: "(d) Before the board approves the restriction of rights to construct improvements upon the land or to substantially alter the natural character of the land, the department shall notify all persons holding a license or lease on the parcel.

(e) The grantee must be consulted pursuant to 75-1-201 and 75-1-208 prior to the future management of the land encumbered by the conveyance.

(f) Each conveyance document must contain provisions necessary to ensure that the grantee's rights are restricted."

- END -



SENATE STANDING COMMITTEE REPORT

January 20, 2005

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 44** (first reading copy -- white) **do pass**.

Signed: _____

A handwritten signature in cursive script, appearing to read "Glenn Roush", is written over a horizontal line.

Senator Glenn Roush, Chair

- END -

Handwritten initials, possibly "KF", are located in the bottom right corner of the page.

NATURAL RESOURCES

MOTION DO PASS AS AMENDED

[illegible]

Sen. Harrington gave his NO vote to the Committee Secretary, Kathleen Ely.

NATURAL RESOURCES

DATE 1-17-05 BILLS BEING HEARD TODAY SB 212, 214

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

MINUTES

MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN GLENN ROUSH**, on January 19, 2005 at 3:02 P.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Sen. Glenn Roush, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Kelly Gebhardt (R)
Sen. Dan Harrington (D)
Sen. Greg Lind (D)
Sen. Gary L. Perry (R)
Sen. Bill Tash (R)
Sen. Ken Toole (D)
Sen. Mike Wheat (D)

Members Excused: None.

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Krista Lee Evans, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None.
Executive Action: SB 95, SB 142, SB 212, SB 214

00:01:49

EXECUTIVE ACTION ON SB 95

Motion: SEN. TOOLE moved that SB 95 DO PASS.

Motion/Vote: SEN. GEBHARDT moved that SB 95 BE AMENDED. Motion carried unanimously by voice vote.

[EXHIBIT](#)(nas14a01)

Motion/Vote: SEN. GEBHARDT moved that SB 95 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

00:06:48

EXECUTIVE ACTION ON SB 142

Motion: SEN. TASH moved that SB 142 DO PASS.

Motion/Vote: SEN. TASH moved that SB 142 BE AMENDED. Motion carried unanimously by voice vote.

[EXHIBIT](#)(nas14a02)

Motion/Vote: SEN. TASH moved that SB 142 BE AMENDED to read "10" where it now reads "25". Motion carried unanimously by voice vote.

Motion/Vote: SEN. TASH moved that SB 142 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

00:18:23

EXECUTIVE ACTION ON SB 212

Motion: SEN. TOOLE moved that SB 212 DO PASS.

Motion/Vote: SEN. TOOLE moved that SB 212 BE AMENDED. Motion carried unanimously by voice vote.

[EXHIBIT](#)(nas14a03)

Motion/Vote: SEN. TOOLE moved that SB 212 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

00:23:46

EXECUTIVE ACTION ON SB 214

Motion: SEN. TOOLE moved that SB 214 DO PASS.

Motion/Vote: SEN. TOOLE moved that SB 212 DO PASS AS AMENDED.
Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 3:25 P.M.

SEN. GLENN ROUSH, Chairman

KATHLEEN ELY, Secretary

GR/KE

Additional Exhibits:

EXHIBIT ([nas14aad0.PDF](#))

MONTANA SENATE
2005 LEGISLATURE

ROLL CALL

NATURAL RESOURCES

DATE 1/19/05

NAMES	PRESENT	ABSENT	EXCUSED
SEN. GLENN ROUSH, CHAIRMAN	✓		
SEN. AUBYN CURTIS	✓		
SEN. KELLY GEBHARDT	✓		
SEN. DAN HARRINGTON	✓		
SEN. GREG LIND	✓		
SEN. GARY PERRY	✓		
SEN. BILL TASH	✓		
SEN. KEN TOOLE, VICE CHAIRMAN	✓		
SEN. MICHAEL WHEAT	✓		
KRISTA LEE EVANS, LSD	✓		
KATHLEEN ELY, COMMITTEE SECRETARY	✓		



SENATE STANDING COMMITTEE REPORT

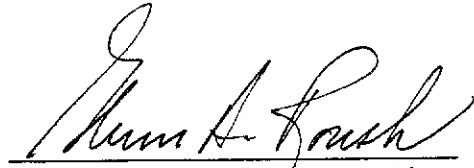
January 19, 2005

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 95** (first reading copy -- white) do pass as amended.

Signed:


Senator Glenn Roush, Chair

And, that such amendments read:

1. Page 3.

Following: line 12

Insert: "(c) The term does not include equipment such as compressor engines used for transmission of oil or natural gas."

- END -

Committee Vote:
Yes 9, No 0.

141542SC.ssc





SENATE STANDING COMMITTEE REPORT

January 19, 2005

Page 1 of 4

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 142** (first reading copy -- white) **do pass as amended.**

Signed: _____

A handwritten signature in cursive script, appearing to read "Glenn Roush", is written over a horizontal line.

Senator Glenn Roush, Chair

And, that such amendments read:

1. Title, page 1, line 6.

Following: "PURPOSES"

Insert: "FOR A TERM NOT TO EXCEED 10 YEARS"

2. Title, page 1, line 9.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

3. Page 1, line 19.

Following: "state land"

Insert: ", not to exceed 30,000 acres,"

4. Page 1, line 20.

Strike: "25"

Insert: "10"

5. Page 3, line 7.

Strike: "8"

Insert: "9"

6. Page 3, line 15.

Strike: "applications"

Insert: "nominations"

Committee Vote:

Yes 9, No 0.

141607SC.sjo

Handwritten initials, possibly "KR", are located in the bottom right corner of the page.

7. Page 3.

Following: line 16

Insert: "(2) The department shall review each nomination and determine if a forest management license or lease is appropriate for the nominated parcel. If the department determines that it is appropriate, the department shall accept applications from one or more entities."

Renumber: subsequent subsections

8. Page 3, line 20.

Strike: "subsections (2)(c) and (3)"

Insert: "subsection (4)"

9. Page 3, lines 21 through 25.

Strike: subsection (2)(c) in its entirety

Renumber: subsequent subsections

10. Page 3, line 30.

Strike: "development"

Insert: "management"

11. Page 4, line 3.

Strike: "higher and better"

Insert: "other compatible"

12. Page 4, line 4.

Following: "(e)"

Insert: "net"

13. Page 4.

Following: line 4

Insert: "(5) The department or its contractor shall conduct an environmental analysis on the proposed application and develop alternatives for additional applications received for the same tract pursuant to Title 75, chapter 1, part 2. The department may conduct the environmental analysis or hire a contractor. If the department hires a contractor, the department shall maintain oversight of the process."

Renumber: subsequent subsections

14. Page 4, line 6.

Following: "board"

Insert: ", including the results of any environmental analysis conducted pursuant to subsection (5) "

15. Page 4.

Following: line 10

Insert: "(8) If an application is modified, the department shall evaluate the need for additional environmental analysis."

16. Page 4, line 23.

Following: "application and the"

Insert: "department for all costs"

17. Page 4, line 24.

Following: "associated"

Insert: "with the"

18. Page 5, line 1.

Strike: "25"

Insert: "10"

19. Page 7, line 1.

Following: " ; "

Insert: "and"

20. Page 7, line 2 through line 4.

Following: "(b) "

Strike: "the procedure" on line 2 through "(c) " on line 4

21. Page 7, line 6.

Following: "(2) "

Insert: "(a) "

22. Page 7.

Following: line 7

Insert: "(b) The board shall adopt the rules by January 1, 2007."

Insert: "NEW SECTION. Section 9. Term of license or lease.

Licenses or leases entered into pursuant to [sections 3 through 8] remain in effect until the termination of the license or lease

or December 31, 2021, whichever is earlier."

Renumber: subsequent sections

23. Page 7, line 11.

Strike: "[sections 9 and 10]"

Insert: "[section 11] and this section,"

24. Page 8, line 6.

Strike: "8"

Insert: "9"

25. Page 8, line 8.

Strike: "8"

Insert: "9"

26. Page 8, line 9.

Strike: "9"

Insert: "10"

Strike: "10"

Insert: "11"

27. Page 8, line 10.

Strike: "9"

Insert: "10"

Strike: "10"

Insert: "11"

28. Page 8, line 17.

Insert: "NEW SECTION. Section 15. Termination. The amendments to 77-5-201(1) and (4) through (6) and 77-5-202(1) and [sections 3 through 9] and this section terminate December 31, 2011."

- END -



SENATE STANDING COMMITTEE REPORT

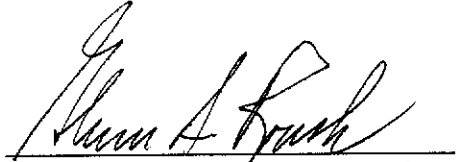
January 19, 2005

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 212** (first reading copy -- white) do pass as amended.

Signed:


Senator Glenn Roush, Chair

And, that such amendments read:

1. Page 1, line 11.

Strike: "All"

Insert: "Except as provided in subsection (2),"

2. Page 1, line 19.

Following: "(1)"

Insert: "must be deposited in the mineral impact account
established in 17-3-241 and"

3. Page 1, line 22.

Strike: "to the mineral impact account established in 17-3-241"

4. Page 1, line 23.

Strike: "allocated"

- END -

Committee Vote:

Yes 9, No 0.

141551SC.ssc





SENATE STANDING COMMITTEE REPORT

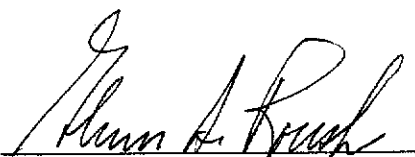
January 19, 2005

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 214** (first reading copy -- white) **do pass**.

Signed:


Senator Glenn Roush, Chair

- END -

Committee Vote:
Yes 9, No 0.

141552SC.ssc

57

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **VICE CHAIR JOHN (JACK) W. ROSS**, on March 7, 2005 at 3:15 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. John (Jack) W. Ross, Vice Chairman (R)
Rep. Norma Bixby (D)
Rep. Dee L. Brown (R)
Rep. Paul Clark (D)
Rep. Sue Dickenson (D)
Rep. George Everett (R)
Rep. Kevin T. Furey (D)
Rep. Gail Gutsche (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Carol Lambert (R)
Rep. Rick Maedje (R)

Members Excused: Rep. Jim Peterson, Chairman (R)
Rep. Debby Barrett (R)

Members Absent: Rep. Christopher Harris, Vice Chairman (D)
Rep. Veronica Small-Eastman (D)
Rep. David Wanzenried (D)

Staff Present: Joe Kolman, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 124, 3/2/2005; SB 212, 3/2/2005;
SB 214, 3/2/2005

Executive Action:

HEARING ON SB 124

Opening Statement by Sponsor:

00:01:00 **SEN. GLENN ROUSH (D), SD 8**, opened the hearing on **SB 124**, Interim bridge or gap financing for regional water systems.

Proponents' Testimony:

00:05:56 Clint Jacobs, Manager, Dry Prairie Rural Water System
00:10:07 Steve Wade, North Central Regional Drinking Water Authority
00:11:22 Gloria Mason, Administrator, Conservation District, Cut Bank and Montana Association of Conservation Districts
00:12:18 John Tubbs, Montana Department of Natural Resources and Conservation

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:15:11 **REP. BROWN**
00:17:21 **REP. DICKENSON**
00:21:13 **REP. CLARK**
00:24:06 **VICE CHAIR ROSS**

Closing by Sponsor:

00:26:14 **SEN. GLENN ROUSH (D)** closed the hearing on **SB 124**.

HEARING ON SB 212

Opening Statement by Sponsor:

00:27:01 **SEN. JOHN ESP (R), SD 31**, opened the hearing on **SB 212**, Revise allocation and distribution of federal mineral leasing funds.

Proponents' Testimony:

00:28:20 William Duffield, Executive Director, Montana Association of Oil and Gas Producing Counties
00:29:00 John Northey, Attorney, Legislative Audit Division

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:30:31 REP. JOPEK
00:31:59 REP. GUTSCHE

Closing by Sponsor:

00:33:34 SEN. JOHN ESP (R) closed the hearing on SB 212.

HEARING ON SB 214

Opening Statement by Sponsor:

00:34:35 SEN. KELLY GEBHARDT (R), SD 23, opened the hearing on SB 214, Clarify law on damages for trespass to take timber.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:37:06 REP. JOPEK
00:37:38 REP. MAEDJE
00:40:09 REP. CLARK
00:41:40 VICE CHAIR ROSS

Closing by Sponsor:

00:41:58 SEN. KELLY GEBHARDT (R) closed the hearing on SB 214.

00:42:29

ADJOURNMENT

Adjournment: 4:15 P.M.

REP. JIM PETERSON, Chairman

DEBRA POLHEMUS, Secretary

JP/dp

Additional Exhibits:

EXHIBIT ([nah50aad0.PDF](#))

HOUSE OF REPRESENTATIVES

NATURAL RESOURCES

COMMITTEE

ROLL CALL

DATE: 3.7.05

NAME	PRESENT	ABSENT	EXCUSED
Chairman, Jim Peterson			✓
Vice Chair, Rep. Jack Ross	✓		
Vice Chair, Chris... Harris		✓	
Rep. Debby Barrett			✓
Rep. Norma Bixby	✓		
Rep. Dee Brown	✓		
Rep. Paul Clark	✓		
Rep. Sue Dickenson	✓		
Rep. George Everett	✓		
Rep. Gail Gutsche	✓		
Rep. Ralph Heinert	✓		
Rep. Kevin Furey	✓		
Rep. Llew Jones	✓		
Rep. Mike Jopek	✓		
Rep. Carol Lambert	✓		
Rep. Rick Maedje	✓		
Rep. V. Small-Eastman		✓	
Rep. Dave Wanzenried		✓	

VISITORS REGISTER

Montana

House of Representatives

NATURAL RESOURCES COMMITTEE

Date: **March 7, 2005** Bill Number: **SB 124**

Sponsor: **Senator G. Roush**

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
CLINT JALORE	DRY PRAIRIE	✓		
John Tokys	DWR	✓		
Gloria Mason	MACD	✓		
MARLENE MOON	MACD/LCD	✓		
Mark Suda	MACD	✓		
Gary Macdonald	Roosevelt Co.	X		
James Mann	Roosevelt Co	X		
Roger Smedsrud	MACD	X		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

VISITORS REGISTER

Montana

House of Representatives

NATURAL RESOURCES COMMITTEE

Date: **March 7, 2005** Bill Number: **SB 212**

Sponsor: **Senator J. Esp**

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
<i>William Duffield</i>	<i>MAAD Counties</i>	<i>X</i>		
<i>Gary Macdonald</i>	<i>Roosevelt Co.</i>	<i>X</i>		
<i>Gary Douglas</i>	<i>Roosevelt Co</i>	<i>X</i>		
<i>John W. Hartley</i>	<i>Leg. Asst</i>	<i>✓</i>		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

VISITORS REGISTER

Montana

House of Representatives

NATURAL RESOURCES COMMITTEE

Date: **March 7, 2005** Bill Number: **SB 214**

Sponsor: **Senator K. Gebhardt**

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN JIM PETERSON**, on March 30, 2005 at 3:00 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Jim Peterson, Chairman (R)
Rep. Christopher Harris, Vice Chairman (D)
Rep. John (Jack) W. Ross, Vice Chairman (R)
Rep. Debby Barrett (R)
Rep. Norma Bixby (D)
Rep. Dee L. Brown (R)
Rep. Paul Clark (D)
Rep. Sue Dickenson (D)
Rep. George Everett (R)
Rep. Kevin T. Furey (D)
Rep. Gail Gutsche (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Carol Lambert (R)
Rep. Rick Maedje (R)
Rep. Veronica Small-Eastman (D)

Members Excused: None.

Members Absent: Rep. David E. Wanzenried (D)

Staff Present: Joe Kolman, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 143, 3/23/2005; SB 376,
3/23/2005
Executive Action: HB 793; SB 44; HJ 36; SB 145
SB 138; SB 142; SB 214; SB 233

EXECUTIVE ACTION ON HB 793

00:03:48 **Motion:** REP. BROWN moved that HB 793 DO PASS.

00:04:42 **Motion:** REP. JOPEK moved that HB 793 BE AMENDED
with Sections #2 and #3 of the Amendment.

[EXHIBIT](#) (nah67a01)

[EXHIBIT](#) (nah67a02)

00:06:00 REP. BROWN
00:07:45 REP. JOPEK
00:08:26 REP. MAEDJE
00:09:11 REP. JOPEK
00:09:38 REP. BROWN

00:09:58 **Vote:** Motion carried by voice vote with REP.
EVERETT voting no.

00:10:23 **Motion:** REP. JOPEK moved that HB 793 DO PASS AS
AMENDED.

Discussion:

00:11:26 REP. ROSS
00:12:45 CHAIRMAN PETERSON
00:13:22 REP. DICKENSON
00:15:21 REP. BROWN
00:16:08 REP. HEINERT
00:17:51 REP. LAMBERT
00:18:20 REP. GUTSCHE

00:20:09 **Vote:** Motion failed 9-9 by roll call vote with
REPS. BIXBY, CLARK, DICKENSON, FUREY, GUTSCHE,
HARRIS, JOPEK, SMALL-EASTMAN, and WANZENRIED
voting aye and REP. WANZENRIED voting by proxy.

HEARING ON SB 143

Opening Statement by Sponsor:

00:22:10 **SEN. RICK LAIBLE (R), SD 44**, opened the hearing on
 SB 143, Authorize contingent transfer and
 appropriation from orphan share account.
EXHIBIT (nah67a03)

Proponents' Testimony:

00:25:20 Sandi Olson, Department of Environmental Quality
EXHIBIT (nah67a04)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:31:02 **REP. EVERETT**
00:33:04 **REP. LAMBERT**
00:35:49 **REP. BROWN**
00:38:38 **REP. HEINERT**
00:41:08 **REP. BARRETT**
00:46:33 **REP. HEINERT**
00:49:30 **REP. LAMBERT**
00:50:49 **REP. BROWN**

Closing by Sponsor:

00:52:27 **SEN. RICK LAIBLE (R)**, closed the hearing on **SB**
 143.

HEARING ON SB 376

Opening Statement by Sponsor:

00:54:32 **SEN. MIKE WHEAT (D), SD 32**, opened the hearing on
 SB 376, Require environmental impact statement on
 certain reach of Gallatin River.

Proponents' Testimony:

00:59:50 Amy Stix, American Wildlands, Bozeman
EXHIBIT (nah67a05) **Jon Holtzman via letter**
01:03:10 John Wilson, Trout Unlimited
EXHIBIT (nah67a06)
01:11:17 Harry Murphy, Bozeman resident
01:13:17 Derek Goldman, Montana Audubon and the Montana
 Chapter of the American Fisheries Society
01:15:35 Joe Gutkoski, President, Montana River Action
01:18:54 Don Judge, representing Montana Chapter of the
 Sierra Club

Opponents' Testimony:

01:20:09 Michael S. Kakuk, Attorney, representing Montana
Association of Realtors
01:24:22 Ellen Hegstedt, representing Montana Wood Products
Association
01:25:39 Jason Todhunter, Montana Logging Association

Informational Testimony:

01:26:25 Richard Oppen, Director, Montana Department of
Environmental Quality

Questions from Committee Members and Responses:

01:29:09 REP. BROWN
01:33:33 REP. HEINERT
01:39:09 REP. GUTSCHE
01:42:23 REP. BARRETT
01:46:57 REP. MAEDJE
01:53:46 CHAIRMAN PETERSON
01:59:05 REP. CLARK
02:07:29 REP. HARRIS
02:08:41 REP. MAEDJE

Closing by Sponsor:

02:10:18 SEN. MIKE WHEAT (D), SD 32 closed the hearing on
SB 376.

02:13:57 Break
02:23:50 Resume

EXECUTIVE ACTION ON SB 44

02:25:22 **Motion:** REP. LAMBERT moved that SB 44 BE
CONCURRED IN.

Discussion:

02:26:22 REP. BROWN
02:27:16 REP. FUREY
02:28:15 REP. GUTSCHE
02:29:52 REP. LAMBERT
02:30:23 REP. CLARK
02:31:49 REP. HARRIS
02:32:25 REP. BARRETT

02:32:59 Substitute Motion/Vote: REP. BROWN made a substitute motion that SB 44 BE TABLED. Substitute motion carried 13-5 by voice vote with REPS. BARRETT, BROWN, EVERETT, MAEDJE, and ROSS voting no and REPS. WANZENRIED and DICKENSON voting by proxy.

EXECUTIVE ACTION ON HJ 36

02:34:20 Motion: REP. ROSS moved that HJ 36 DO PASS.

02:35:28 Motion/Vote: REP. HEINERT moved that HJ 36 BE AMENDED. Motion carried unanimously by voice vote with REPS. WANZENRIED and DICKENSON voting by proxy.

[EXHIBIT](#) (nah67a07)

02:36:05 Motion: REP. ROSS moved that HJ 36 DO PASS AS AMENDED.

_____ Discussion:
02:36:12 REP. BROWN

02:37:03 Motion: REP. GUTSCHE moved that HJ 36 BE AMENDED.
[EXHIBIT](#) (nah67a08)

02:39:03 *REP. DICKENSON returned to Committee Hearing.*

_____ Discussion:
02:39:22 REP. BARRETT
02:39:36 REP. CLARK

02:40:25 Vote: Motion carried 17-1 by voice vote with REP. HEINERT voting no and REP. WANZENRIED voting by proxy.

02:40:57 Motion/Vote: REP. FUREY moved that HJ 36 DO PASS AS AMENDED. Motion carried unanimously by voice vote with REP. WANZENRIED voting by proxy.

EXECUTIVE ACTION ON SB 145

02:42:35 Motion: REP. HARRIS moved that SB 145 BE CONCURRED IN.

02:43:30 Motion: REP. HARRIS moved that SB 145 BE AMENDED.
EXHIBIT (nah67a09)

02:43:54 Discussion:
REP. HARRIS

02:44:47 *REP. BIXBY left the Committee Hearing.*

02:45:07 Vote: Motion carried unanimously by voice vote
with REPS. WANZENRIED and BIXBY voting by proxy.

02:45:41 Motion/Vote: REP. HARRIS moved that SB 145 BE
CONCURRED IN AS AMENDED. Motion carried
unanimously by voice vote with REP. WANZENRIED and
BIXBY voting by proxy. REP. HARRIS will carry SB
145.

EXECUTIVE ACTION ON SB 138

02:47:40 Motion: REP. JOPEK moved that SB 138 BE CONCURRED
IN.

02:48:52 Discussion:
REP. BROWN
02:49:42 REP. ROSS
02:49:59 REP. MAEDJE

02:51:19 Motion: REP. MAEDJE moved that SB 138 BE AMENDED
with a conceptual amendment.

Discussion:
02:51:46 REP. BROWN

02:52:17 REP. MAEDJE withdrew the Motion TO AMEND SB 138.

02:52:28 Motion: REP. BROWN moved that SB 138 BE AMENDED
with a conceptual amendment.

Discussion:
02:52:43 REP. HEINERT
02:53:11 REP. SMALL-EASTMAN
02:53:24 REP. BROWN
02:53:48 REP. SMALL-EASTMAN
02:54:20 REP. BROWN
02:54:44 REP. JOPEK

02:55:05 Vote: Motion carried unanimously by voice vote
with REPS. WANZENRIED and BIXBY voting by proxy.

02:55:40 Motion/Vote: REP. JOPEK moved that SB 138 BE
CONCURRED IN AS AMENDED. Motion carried
unanimously by voice vote with REPS. WANZENRIED
and BIXBY voting by proxy. REP. HEINERT will carry
SB 138.

EXECUTIVE ACTION ON SB 142

02:57:32 Motion: REP. MAEDJE moved that SB 142 BE
CONCURRED IN.

Discussion:
02:57:51 REP. MAEDJE
02:59:51 REP. EVERETT

03:00:35 Motion: REP. BROWN moved that SB 142 BE AMENDED.
EXHIBIT (nah67a10)

Discussion:
03:01:39 Joe Kolman, Legislative Services Division
03:03:13 CHAIRMAN PETERSON

03:04:00 Motion: REP. FUREY moved that SB 142 BE AMENDED
and that Sections 1, 2 and 4 BE SEGREGATED.

Discussion:
03:04:51 REP. GUTSCHE
03:05:26 REP. HEINERT
03:06:05 REP. ROSS

03:06:33 *REP. JOPEK left the Committee Hearing.*

03:06:51 REP. MAEDJE
03:07:39 REP. FUREY
03:08:09 REP. SMALL-EASTMAN
03:08:35 REP. BROWN
03:09:19 REP. BARRETT
03:10:10 REP. MAEDJE

03:11:47 Vote: Motion carried 10-8 by roll call vote with
REPS. BIXBY, CLARK, FUREY, GUTSCHE, HARRIS, JOPEK,
PETERSON, and SMALL-EASTMAN voting no and REPS.
JOPEK, BIXBY and WANZENRIED voting by proxy.

03:12:36 Motion: REP. FUREY moved that SB 142 BE AMENDED
to include Sections 3 & 5-12.

Discussion:

03:13:42 REP. SMALL-EASTMAN
 03:15:25 REP. ROSS
 03:15:45 REP. FUREY
 03:16:46 REP. BROWN
 03:17:22 REP. FUREY
 03:17:47 REP. BARRETT
 03:18:15 REP. GUTSCHE
 03:18:54 Joe Kolman, Legislative Services Division

03:19:41 **Vote:** Motion carried 10-8 by roll call vote with REPS. BIXBY, DICKENSON, FUREY, GUTSCHE, HARRIS, JOPEK, SMALL-EASTMAN, and WANZENRIED voting no and REPS. JOPEK, BIXBY and WANZENRIED voting by proxy.

03:21:24 **Motion:** REP. BROWN moved that SB 142 BE CONCURRED IN AS AMENDED.

Discussion:

03:21:20 REP. GUTSCHE
 03:21:56 REP. BARRETT
 03:22:34 REP. MAEDJE
 03:23:24 Joe Kolman, Legislative Services Division
 03:23:43 REP. FUREY

03:24:21 **Vote:** Motion failed 4-14 by roll call vote with REPS. CLARK, HEINERT, MAEDJE, and ROSS voting aye and REPS. JOPEK, BIXBY and WANZENRIED voting by proxy.

03:25:36 **Motion/Vote:** REP. LAMBERT moved that SB 142 BE TABLED AND THE VOTE REVERSED. Motion carried by voice vote with REPS. JOPEK, BIXBY and WANZENRIED voting by proxy.

EXECUTIVE ACTION ON SB 214

03:26:11 **Motion:** REP. LAMBERT moved that SB 214 BE CONCURRED IN.

Discussion:

03:26:54 REP. MAEDJE
 03:28:27 REP. CLARK
 03:28:36 REP. EVERETT left Committee Hearing.

03:31:04 Vote: Motion carried 17-1 by voice vote with REP. BROWN voting no with REPS. EVERETT, BIXBY, JOPEK, and WANZENRIED voting by proxy. REP. NOENNIG will carry SB 214.

EXECUTIVE ACTION ON SB 233

03:32:17 Motion: REP. MAEDJE moved that SB 233 BE CONCURRED IN.

03:33:16 Motion: REP. HARRIS moved that SB 233 BE AMENDED. [EXHIBIT](#) (nah67a11)

Discussion:

03:33:39 Joe Kolman, Legislative Services Division

03:35:19 REP. HARRIS

03:36:43 Vote: Motion carried unanimously by voice vote with REPS. JOPEK, WANZENRIED, BIXBY, EVERETT and BROWN voting by proxy.

03:37:31 Motion: REP. GUTSCHE moved that SB 233 BE CONCURRED IN AS AMENDED.

Discussion:

03:38:19 REP. BARRETT

03:39:13 REP. DICKENSON

03:40:06 REP. GUTSCHE

03:41:00 Vote: Motion failed 9-9 by roll call vote with REPS. CLARK, DICKENSON, FUREY, BIXBY, GUTSCHE, HARRIS, JOPEK, SMALL-EASTMAN, and WANZENRIED voting aye and REPS. JOPEK, EVERETT, BIXBY, WANZENRIED and BROWN voting by proxy.

ADJOURNMENT

Adjournment: 7:00 P.M.

REP. JIM PETERSON, Chairman

DEBRA POLHEMUS, Secretary

JP/dp

Additional Exhibits:

EXHIBIT ([nah67aad0.PDF](#))

HOUSE OF REPRESENTATIVES

NATURAL RESOURCES

COMMITTEE

ROLL CALL

DATE: 3.30.05

NAME	PRESENT	ABSENT	EXCUSED
Chairman, Jim Peterson	✓		
Vice Chair, Rep. Jack Ross	✓		
Vice Chair, Chris... Harris	✓		
Rep. Debby Barrett	✓		
Rep. Norma Bixby	✓		
Rep. Dee Brown	✓		
Rep. Paul Clark	✓		
Rep. Sue Dickenson	✓		
Rep. George Everett	✓		
Rep. Gail Gutsche	✓		
Rep. Ralph Heinert	✓		
Rep. Kevin Furey	✓		
Rep. Llew Jones	✓		
Rep. Mike Jopek	✓		
Rep. Carol Lambert	✓		
Rep. Rick Maedje	✓		
Rep. V. Small-Eastman	✓		
Rep. Dave Wanzenried		✓	



HOUSE STANDING COMMITTEE REPORT

March 31, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Joint Resolution 36** (first reading copy -- white) **do pass as amended**.

Signed:

A handwritten signature in black ink, appearing to be "Jim Peterson", is written over a horizontal line.

Representative Jim Peterson, Chair

And, that such amendments read:

1. Page 2, line 2.

Following: "Committee"

Insert: "be requested to"

2. Page 2, line 6.

Following: line 5

Insert: "(2) include input from the director of the Office of Budget and Program Planning and the directors of state agencies that would be affected by changes to the resource indemnity trust;"

Renumber: subsequent subsections

- END -

Committee Vote:

Yes 18, No 0.

680939SC.hkh

3/31/05

gbr



HOUSE STANDING COMMITTEE REPORT

March 31, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 145** (third reading copy -- blue) be concurred in as amended.

Signed: _____


Representative Jim Peterson, Chair

To be carried by Representative Christopher Harris

And, that such amendments read:

1. Title, line 6.

Strike: "INCREASING" through "MEMBERS"

Insert: "REVISING THE MEMBERSHIP"

2. Page 1, line 17.

Strike: "nine"

Insert: "seven"

3. Page 1, line 20.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

4. Page 1, line 24.

Strike: "two representatives"

Insert: "a representative"

- END -

Committee Vote:

Yes 18, No 0.

680847SC.hkh

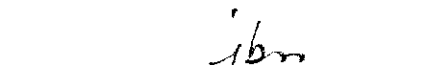
3/31/05
jbr

COMMITTEE FILE COPY

TABLED BILL

The HOUSE NATURAL RESOURCES COMMITTEE TABLED SB 44, SB 142, by motion, on
Wednesday, March 30, 2005.


(For the Committee)


(Chief Clerk of the House)

7:40 3/31
(Time) (Date)

March 30, 2005

Debra L. Polhemus, Secretary

Phone: 4788



HOUSE STANDING COMMITTEE REPORT

March 31, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 138** (third reading copy -- blue) be concurred in as amended.

Signed: _____

Representative Jim Peterson, Chair

To be carried by Representative Ralph Heinert

And, that such amendments read:

1. Page 2, line 5.

Strike: "the administrator"

Insert: "a representative"

- END -

Committee Vote:
Yes 18, No 0.

680933SC.hkh

3/31/05

john



HOUSE STANDING COMMITTEE REPORT

March 31, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 214** (third reading copy -- blue) be concurred in.

Signed: 

Representative Jim Peterson, Chair

To be carried by Representative Mark Noennig

- END -

Committee Vote:
Yes 17, No 1.

680849SC.hkh

3/31/05

jbw

HOUSE OF REPRESENTATIVES
NATURAL RESOURCES COMMITTEE
ROLL CALL VOTE

DATE: 3.30.05 BILL NUMBER: HB793
MOTION: Do Pass As Amended MOTION NUMBER: 1

NAME	AYE	NO	Proxy
Vice Chair, Rep. Jack Ross		✓	
Vice Chair, Rep. Chris Harris	✓		
Rep. Debby Barrett		✓	
Rep. Rick Maedje		✓	
Rep. Kevin Furey	✓		
Rep. Mike Jopek	✓		
Rep. George Everett		✓	
Rep. Norma Bixby	✓		
Rep. Sue Dickenson	✓		
Rep. Dave Wanzenried	✓		✓
Rep. Carol Lambert		✓	
Rep. Llew Jones		✓	
Rep. Gail Gutsche	✓		
Rep. V. Small-Eastman	✓		
Rep. Ralph Heinert		✓	
Rep. Dee Brown		✓	
Rep. Paul Clark	✓		
Chair, Rep. Jim Peterson		✓	

VOTE TOTAL: 9.9 tie PROXY: 1

HOUSE OF REPRESENTATIVES
NATURAL RESOURCES COMMITTEE
ROLL CALL VOTE

DATE: 3.30.05 BILL NUMBER: SB142
MOTION: amend: sec. 1, 2, 4 MOTION NUMBER: 2

NAME	AYE	NO	Proxy
Vice Chair, Rep. Jack Ross	✓		
Vice Chair, Rep. Chris Harris		✓	
Rep. Debby Barrett	✓		
Rep. Rick Maedje	✓		
Rep. Kevin Furey		✓	
Rep. Mike Jopek		✓	✓
Rep. George Everett	✓		
Rep. Norma Bixby		✓	✓
Rep. Sue Dickenson	✓		
Rep. Dave Wanzenried	✓		✓
Rep. Carol Lambert	✓		
Rep. Llew Jones	✓		
Rep. Gail Gutsche		✓	
Rep. V. Small-Eastman		✓	
Rep. Ralph Heinert	✓		
Rep. Dee Brown	✓		
Rep. Paul Clark		✓	
Chair, Rep. Jim Peterson		✓	

VOTE TOTAL: 10.8 PROXY: 3

HOUSE OF REPRESENTATIVES
NATURAL RESOURCES COMMITTEE
ROLL CALL VOTE

DATE: 3.30.05 BILL NUMBER: SB142
MOTION: amend: sec. 3, 5-12 MOTION NUMBER: 3

NAME	AYE	NO	Proxy
Vice Chair, Rep. Jack Ross	✓		
Vice Chair, Rep. Chris Harris		✓	
Rep. Debby Barrett	✓		
Rep. Rick Maedje	✓		
Rep. Kevin Furey		✓	
Rep. Mike Jopek		✓	✓
Rep. George Everett	✓		
Rep. Norma Bixby		✓	✓
Rep. Sue Dickenson		✓	
Rep. Dave Wanzonried		✓	✓
Rep. Carol Lambert	✓		
Rep. Llew Jones	✓		
Rep. Gail Gutsche		✓	
Rep. V. Small-Eastman		✓	
Rep. Ralph Heinert	✓		
Rep. Dee Brown	✓		
Rep. Paul Clark	✓		
Chair, Rep. Jim Peterson	✓		

VOTE TOTAL: 10.8 PROXY: 3

HOUSE OF REPRESENTATIVES
NATURAL RESOURCES COMMITTEE
ROLL CALL VOTE

DATE: 3.30.05 BILL NUMBER: SB142
MOTION: Do concur as amend. MOTION NUMBER: 4

NAME	AYE	NO	Proxy
Vice Chair, Rep. Jack Ross	✓		
Vice Chair, Rep. Chris Harris		✓	
Rep. Debby Barrett		✓	
Rep. Rick Maedje	✓		
Rep. Kevin Furey		✓	
Rep. Mike Jopek		✓	✓
Rep. George Everett		✓	
Rep. Norma Bixby		✓	✓
Rep. Sue Dickenson		✓	
Rep. Dave Wanzonried		✓	✓
Rep. Carol Lambert		✓	
Rep. Llew Jones		✓	
Rep. Gail Gutsche		✓	
Rep. V. Small-Eastman		✓	
Rep. Ralph Heinert	✓		
Rep. Dee Brown		✓	
Rep. Paul Clark	✓		
Chair, Rep. Jim Peterson		✓	

VOTE TOTAL: 4.14 PROXY: 3

HOUSE OF REPRESENTATIVES
NATURAL RESOURCES COMMITTEE
ROLL CALL VOTE

DATE: 3.30.05 BILL NUMBER: SB233
MOTION: Do concur as amended MOTION NUMBER: 5

NAME	AYE	NO	Proxy
Vice Chair, Rep. Jack Ross		✓	
Vice Chair, Rep. Chris Harris	✓		
Rep. Debby Barrett		✓	
Rep. Rick Maedje		✓	
Rep. Kevin Furey	✓		
Rep. Mike Jopek	✓		✓
Rep. George Everett		✓	✓
Rep. Norma Bixby	✓		✓
Rep. Sue Dickenson	✓		
Rep. Dave Wanzenried	✓		✓
Rep. Carol Lambert		✓	
Rep. Llew Jones		✓	
Rep. Gail Gutsche	✓		
Rep. V. Small-Eastman	✓		
Rep. Ralph Heinert		✓	
Rep. Dee Brown		✓	✓
Rep. Paul Clark	✓		
Chair, Rep. Jim Peterson		✓	

VOTE TOTAL: 9.9 tie PROXY: 5

COMMITTEE PROXY

DATE: 11/24/05

I request to be excused from the

NATURAL RESOURCES COMM.

Committee because of other commitments. I desire to leave my proxy vote with:

REP. HARRIS

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT

AYE NO

HB 251	✓	
HB 51		✓
TABLE 44	✓	
AMEND HJR 36	✓	
HJR 36 AMEND 3601	✓	
SB 145 AMEND	✓	
SB 145	✓	
SB 138 AMEND	✓	
SB 142 AMEND 42-44	✓	NO
SB 142		✓
SB 142		✓
TABLE 142	✓	

SENATE BILL/AMENDMENT

AYE NO

SB 214	✓	
SB 233 AM	✓	
SB 233	✓	
SB 489 AMEND	✓	
SB 489 AMEND	✓	
SB 489 AMEND	✓	
SB 489	✓	
SB 143	✓	
SB 337 AMEND	✓	
SB 337	✓	
SB 269 AMEND	✓	
SB 376 AMEND	✓	
SB 376 AMEND	✓	
SB 376	✓	

Rep. Sen. W. HARRIS

(Signature)

SB 138
AYE

HJ 36 aye

COMMITTEE PROXY

DATE: _____

I request to be excused from the NATURAL RESOURCES COMM.

Committee because of other commitments. I desire to leave my proxy vote with:

REP HARRIS

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT AYE NO

HB 379	X	
HB 561	X	
HB 460	X	
HB 793	✓	
ST 9	✓	
HJ 34	✓	
SB 236	✓	
SB 377	✓	

SENATE BILL/AMENDMENT AYE NO

330
Rep./Sen. UNSUBSCRIBED
(Signature)

COMMITTEE PROXY

DATE: _____

I request to be excused from the NATURAL RESOURCES COMM

Committee because of other commitments. I desire to leave my proxy vote with:

REP HARRIS

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT AYE NO

HB 22	✓	
TABLE HB 714	✓	
HB 700	✓	
HB 609	✓	
TABLE HB 602	✓	
HB 666	✓	
HB 675	✓	
HB 698	✓	
HB 591	✓	
HB 69	✓	
HB 470	✓	
HB 288		✓

SENATE BILL/AMENDMENT AYE NO

SB 212	✓	
SB 145 AMEND	✓	
SB 145	✓	
AMEND		
SB 138		
SB 138 AMEND	✓	
SB 138	✓	
SB 142 AMEND		✓
SB 142		✓
TABLE 142	✓	
SB 214	✓	
SB 233 AM	✓	
SB 233	✓	

Rep./Sen.

N. Bixby
(Signature)

COMMITTEE PROXY

DATE: _____

I request to be excused from the Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Ross

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT

AYE NO

SENATE BILL/AMENDMENT

AYE NO

1/28/05	HB 293-01	✓	
✓	HB 293 amended		✓
✓	HB 303		✓
2/18/05	HB 582 (Tuble)	✓	
2/18/05	HB 582		✓
2/18/05	HB 581		✓
2/18/05	HB 453		✓
3/30/05	SB 233 - Amend	X	
3/30/05	SB 233		X

Rep./Sen.

(Signature)

COMMITTEE PROXY

DATE: _____

I request to be excused from the Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Ross

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT

AYE NO

SENATE BILL/AMENDMENT

AYE NO

2/14/05	HB 450	X	
2/14/05	HB 453		X
2/14/05	HB 455		X
2/14/05	HB 491		X
3/30/05	SB 214	X	
3/30/05	SB 233 - Amend	X	
3/30/05	SB 233		X

Rep./Sen. George Everett
(Signature)

COMMITTEE PROXY

DATE: 1.28.05

I request to be excused from the NATURAL RESOURCES COMM.

Committee because of other commitments. I desire to leave my proxy vote with:

REP HARRIS

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT AYE NO

SENATE BILL/AMENDMENT AYE NO

HB 303	✓	
HB 293	✓	
HB 57	✓	
SB 142 AMEND 1,2+4		✓
SB 142 AMEND		✓
SB 142		✓
TABLE SB 142	✓	
SB 214	✓	
SB 233	✓	

Rep./Sen. J. Mike Jones
(Signature)

COMMITTEE PROXY

DATE: _____

I request to be excused from the NATURAL RESOURCES COMM

Committee because of other commitments. I desire to leave my proxy vote with:

REP HARRIS

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT AYE NO

HJR 26	✓	
TABLE SB 96	✓	
TABLE SB 44	✓	
AMEND HJR 36	✓	
AMEND HJR 36	✓	

SENATE BILL/AMENDMENT AYE NO

Rep./Sen. Joe Dickenson
(Signature)

VISITORS REGISTER

Montana

House of Representatives

NATURAL RESOURCES COMMITTEE

Date: **March 30, 2005** Bill Number: **SB 143**

Sponsor: **Senator R. Laible**

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Name	Representing	Support	Oppose	Informational
Sandra Olsen	DEB	X		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

VISITORS REGISTER

Montana

House of Representatives

NATURAL RESOURCES COMMITTEE

Date: **March 30, 2005** Bill Number: **SB 376**

Sponsor: **Senator M. Wheat**

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Name	Representing	Support	Oppose	Informational
Clay Stix	American Wildlands	X		
Joe Gutkoski Pres.	Montana River Action	X		
Harry Murrell	Self	X		
Derek Goldman	mt. Audubon, Am. Fisheries Society	X		
Don Judge	MT Chapter, Grain Club	X		
M.S. KAKUK	MT. Assoc. Ranchers		✓	
ELLEN EUGSTADT	MT Wood Prod. Assoc.		✓	
John Wilson	MT Trout Unlimited	X		
Don Allen	WEED		X	
Jason Todhunter	MT Logging Assoc		X	

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.